The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3C.1 to permit a side yard setback of 8 feet BEFORE THE ZONING COMMISSIONER RE: PETITION FOR VARIANCE in lieu of the required 10 feet. SE Comer of Lodge Farm & OF BALTIMORE COUNTY South Cova Rds., 15th District Case No. 84-176-A of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) MELVIN W. ECK, III, et ux, Petitioners PETITION FOR VARIANCE Serie my house has no Basement + 2 only have one floor. Inseed Located at the Southeast corner of Lodge Farm Road and South Cove Road. Being :::::: known as Lodge Forest, Lot No. 885 and 886., Book No. 10, folio 76 and 77. an arditional 15' proon, for extra room & storage. I have to put the room on the right hand side of my house next to the living Room, 15th Election District ORDER TO ENTER APPEARANCE ZONING: Petition or Variance Mr. Commissioner: I cannot put the room on the left side of my house, as the Bear worms LOCATION: Southeast corner of Lodge Farm and South Cove Roads Pursuant to the authority contained in Section 524.1 of the Baltimore County are all to the left also with Speople in our family, I need more room.

Property is to be posted and advertised as prescribed by Zoning Regulations. (2209 Lodge Farm Road) Charter, I hereby enter my appearance in this proceeding. You as requested to notify DATE & TIME: Monday, January 16, 1984 at 10:15 A.M. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. me of any hearing date or dates which may be now or hereafter designated therefor, PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland and of the passage of any preliminary or final Order in connection therewith. I/We do solemnly declare and affirmar, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition. The Zoning Commissioner of Bultimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a side yard setback of 8 ft. in lieu of the required 10 ft. John W. Hessian, III Contract Purchaser: Legal Owner(s): Peter Max Zimmerman I JEAN ELIZABETH ECKIO Peop 's Counsel for Baltimore County Deputy People's Counsel Rm. 4. , Court House Being the property of Melvin W. Eck, III, et ux, as shown on plat plan filed with (Type or Print Name) Vean Alzabeth Ech Towson, MD 21204 the Zoning Department. 494-2138 In the event that this Petition is granted, a building permit may be issued within MELVIN W Ec. I HEREBY CERTIFY that on this 30th day of December, 1983, a copy of the the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period foregoing Order was mailed to Mr. and Mrs. Melvin W. Eck, 111, 2209 Lodge Farm Rd., for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. Item 114 Baltimore, MD 21219. 2209 Lodge form al 388-0646 BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER Adelmen md 21219 OF BALTIMORE COUNTY Name, address and phone number of legal owner, contract purchaser or representative to be contacted City and State ORDERED By The Zoning Commissioner of Baltimore County, this _____ 22nd ____ day of <u>November</u>, 19 83, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the ______16th _____ d'v of ____January _____, 19.84 ___, at 10:15 o'clock Zoning Commissioner of Baltimore County. A-NE Key Sheet BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 27 SE 32 Pos. Sheet Mr. & Mrs. Melvin V. Eck, III SE 7 H Topo 2209 Lodge Farm Road BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE 111 Tax Map Baltimore, Maryland 21219 HARRY J. PISTEL, P. E. DIRECTOR BALTIMORE COUNTY OFFICE OF PLANNING & ZONING January 5, 1984 COUNTY OFFICE BLDG. January 10, 1984 111 W. Chesapeake Ave. Towdon, Maryland 21204 County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 BALTIMORE COUNTY Mr. Arnold Jablon Zoning Commissioner Nicholas B. Commodari Your petition has been received and accepted for filing this County Office Building Chairman Mr. & Mrs. Melvin W. Eck, III 22nd day of November , 1983. Towson, Maryland 21204 2209 Lodge Farm Road ZONING PLANS Baltimore, Maryland 21219 MEMBERS Re: Item #114 (1983-1984) Property Owner: Melvin W. Eck, III, et ux Bureau of RE: Item No. 114 - Case No. 84-176-A Lodge Farm Road Engineering Petitioner - Melvin W. Eck, III, et ux District: 15th Department of Variance Petition Traffic Engineering ADVISORY COMMITTEE Dear Mr. Jablon: State Roads Commission Dear Mr. & Mrs. Eck: Zoning Commissione Bureau of The following comments are furnished in regard to the plat submitted to this Fire Prevention Enclosed please find additional comments submitted after my original comments of January 6, 1984. office for review by the Zoning Advisory Committee in connection with the subject Health Department Petitioner' Chairman, Zoning Plans Advisory Committee Project Planning Attorney Highways: Building Department Very truly yours, Board of Education Lodge Farm Road and South Cove Road are existing public roads. The former Kicheles B. Commedere bec. is proposed to be further improved in the future as a 30-foot closed section Zoning Administration roadway on a 50-foot right-of-way. South Cove Road was recently improved NICHOLAS B. COMMODARI in this vicinity as a 24-foot closed section on a 44-foot right-of-way (See Chairman Drawings \$78-0088, 0089 and 0099, File 5, respectively). Zoning Plans Advisory Committee Sediment Control: NBC:bsc Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings down-Enclosure stream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil. Storm Drains: The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner. PETITION AND SITE PLAN Water and Sanitary Sewer: There is a public 12-inch water main and 8-inch public sanitary sewerage in Lodge Farm Road. EVALUATION COMMENTS ROBERT A. MORTON, P.E., Chie Bureau of Public Services RAM: EAM: FWR:ss

PETITIC: FOR ZONING VAI ANCE 84-176-A

TO THE ZGNING COMMISSIONER OF BALTIMORE COUNTY:

ess in my

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore Courty Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this

the community, the variance(s) should /should not be granted.

day of ______, 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Nicholas Commodari. Zoning Department Date December 12, 1983 FROM C.E. Burnham. Plans Review Chief C. 2.1

SUBJECT Zoning Advisory Committee November 22, 1983

The production will be to the first

No 'Comment Item #109 No Comment Item #110 See Comments Item #111 See Comments Item #112 See Comments Item #113 Item #114 No Comments See Comments Item #115

CEB/vw

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE January 6, 1984 Mr. & Mrs. Melvin W. Eck, III
Towson, Maryland 21204 Z209 Lodge Farm Doad COUNTY OFFICE BLDG. 2209 Lodge Farm Road Baltimore, Maryland 21219 Wicholas B. Commodari Chairman RE: Item No. 114 - Case No. 84-176-A Petitioner - Melvin W. Eck, III, et u Variance Petition MEMBERS Bureau of Dear Mr. & Mrs. Eck: The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Department of Traffic Engineering State Roads Commission Sureau of Fire Prevention Health Department Project Planning Building Department Board of Education Enclosed are all comments submitted from the members Zoning Administration of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you, Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

NBC:bsc

Mr. & Mrs. Melvin W. Eck, III

Baltimore, Maryland 21219

2209 Lodge Farm Road

Dear Mr. & Mrs. Eck:

with the attached.

AJ/srl

Attachments

cc: People's Counsel

Enclosures

Very truly yours, Michila Deminoden NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

January 18, 1984

IN RE: Petition Zoning Variance

Case No. 84-176-A

Petitioners

. I have this date passed my Order in the above-referenced matter in accordance

Sincerely,

ARNOLD JABLON

Zoning Commissioner

15th Election District

Melvin W. Eck, III, et ux,

SE/corner of Lodge Farm and South

Cove Roads (2209 Lodge Farm Road) -

IN RE: PETITION ZONING VARIANCE BEFORE THE SE/corner of Lodge Farm and South Cove Roads (2209 Lodge * ZONING COMMISSIONER Farm Road) - 15th Election District OF BALTIMORE COUNTY Melvin W. Eck, III, et ux, Case No. 84-176-A Petitioners * * * * * * * * * * * *

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING

Item No. 114 -ZAC- Meeting of November 22, 1983

Proposed Zoning: Variance to permit a side yard setback of 8' in

lieu of the required 10'.

Property Owner: Melvin W. Eck, III, et ux

Lodge Farm Road

No plans was received for this site.

December 21, 1983

Traffic Engineering Assoc.

DEPARTMENT OF TRAFFIC ENGINE TOWSON, MARYLAND 21204

STEPHEN E. COLLINS DILECTOR

Mr. Arnold Jablon

Zoning Commissioner County Office Building

Towson, Maryland 21204

Location:

District:

Dear Mr. Jablon;

.. MSf/ccm

Existing Zoning: D.R. 5.5

The Petitioners herein request a variance to permit a side yard setback of eight feet instead of the required ten feet. The purpose of their request is to construct a 15' x 29' addition to their home for use as a family room, as more fully described on Petitioners' Exhibit 1.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the property is zoned D.R.5.5. The house is five years old and was built for the Petitioners. The Petitioners had an option, as did others in the neighborhood who also bought from the same contractor, to have a family room included. Due to financial considerations, the Petitioners were U unable to include the family room at that time, although many neighbors did.

The Petitioners would now like to add the room to the southern side of the house ₹ They have three children and need the added space. It would be most feasible to build the addition to the south side because the living room is on that side and the bedrooms are on the north side. They will remove the window in the

living room and place a connecting door to the family room. The Petitioners seek relief from Section 1802.3.C.1., pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulations to the petitioner and his property would cause practical difficulty.

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 825-7310

November 29, 1983 PAUL H. REINCKE CHIEF

Mr. William Hammond Coning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

> Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Melvin W. Eck, III, et ux

Location: Lodge Farm Road

Zoning Agenda: Meeting of November 22, 1983 Item No.: 114

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior t) occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

Fire Prevention Bureau Special Inspection Division

McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the Regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the

land due to the special conditions unique to this particular parcel. In addition the variance requested will not be detrimental to the public health. safe-

y, and general welfare. Fursuant to the advertisement, posting of the property, and public hearing

on this Petition held, and for the reasons given above, the variance requested shou 🗲 be granted.

Perefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of January, 1984, that the Petition for Variance to permit a

size yard setback of eight feet instead of the required ten feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- 2 -

84-176-A 84-1767 BALTIMORE COUNTY, MARYLAND CERTIFICATE OF PUBLICATION CERTIFICATE OF POSTING 1. The Petitioners may apply for their building permit and INTER-OFFICE CORRESPONDENCE ZONING DEPARTMENT OF BALTIMORE COUNTY be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at Arnold Jablon this time is at their own risk until such time as the CO__ Zoning Commissioner TOWSON, MD., December 29 1983 Date January 9, 1984 PETITION FOR VARIANCE applicable appellate process from this Order has ex-Posted for: Selection for Variable

Petitioner: Millian M. Eds, II, et use

Location of property: 5E/C Ledge Tarm & S. Cove Peds, pired. If, for whatever reason, this Order is re-THIS IS TO CERTIFY, that the annexed advertisement was ZONING: Petition for Variance
LOCATION: Southeast corner of
Lodge Farm and South Cove
Roads (2209 Lodge Farm Road)
DATE & TIME: Monday, January
16, 1984 at 10:15 A.M. Norman E. Gerber, Director versed, the Petitioners would be required to return, FROM Office of Planning and Zoning and be responsible for returning, said property to its published in THE JEFFERSONIAN, a weekly newspaper printed Melvin W. Eck, III, et ux SUBJECT 84-176-A PUBLIC HEARING: Room 206, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland and published in Towson, Baltimore County, Md., xoncex in xeach of one time species and species before the 16th The Zoning Commissioner of Bal-timore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public day of ______ January ____, 19.84 , the first publication There are no comprehensive plan ing factors requiring comment on this hearing:

Petition for Variance to permit a side yard setback of \$ ft. in lieu of the required 10 ft.

Being the property of Melvin W.

Eck, III, et ux, as shown on plat plen filed with the Zoning Department. appearing on the 29th day of _____ December___ petition. Norman E. Gerber per Ettere ment.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF

ARNOLD JABLON,
Zoning Commissioner of Baltimore County
Dec. 29. THE JEFFERSONIAN, Frank Sweetler Director of Planning and Zoning Number of Signs: NEG/JGH/sf Cost of Advertisement, \$___/5.75_____. FILING RUTH AVE. - 3 -NORTH COVE SOUTH COVE SUBJECT PROPERTY December , 1983 BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 PETITION FOR VARIANCE VICINITY MAP Mr. & Mrs. Melvin W. Eck, III 15the Election District ZONING: Petition for Variance 2209 Lodge Farm Road LOCATION: Southeast corner of Lodge Farm and South Core Roads Edgemere, Maryland 21219 ARNOLD JABLON ZONING COMMISSIONER LODGE FARM RD. (30'R/W) DATE & TIME Monday, January 16, 1984 at 10:15 A.M. NOTICE OF HEARING
Re: Petition for Variance PUBLIC HEARING: Room 106 SE/corner Lodge Farm & South Cove Rds. County Office Building, 111 W. Chase-January 13, 1984 _____ (2209 Lodge Farm Road) The Zoning Commissioner of Balti-more County, by authority of the Zon-ing Act and Regulations of Baltimore County, will hold a public hearing. Petition for Variance to permit a side yard setback of 8 ft. in fine of the required 10 ft. Melvin W. Eck, III, et ux - Petitioners Case No. 84-176-A Mr. & Mrs. Melvin W. Eck, III 2209 Lodge Farm Road Edgemere, Maryland 21219 EXSTACS 28 8 #25.00 0 8 | enistna drel. DE TIME: 10:15 A.M. Being the property of Melvin W. Eck. III, et ar. as shown on plet pirms
fied with the Zoning Department.
In the event that this Petition is Re: Petition for Variance DATE: Monday, January 16, 1984 (15'127) SE/cor. Lodge Farm & South Cove Rds. (2209 Lodge Farm Road) granted, a building permit may be issued within the thirty (30) day PLACE: Room 106, County Office Building, 111 West Chesapeake ADDITION Melvin W. Eck. III, et ux - Petitioners
Case No. 84-176-A soner will, however, entertain any re-quest for a stay of the issuance of Avenue, Towson, Maryland said permit during this period for good cause shown. Such request must be received in writing by the date of Dear Mr. & Mrs. Eck: the hearing set above or made at the This is to advise you that \$_\$48.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued. 73,00 ARNOLD IABLOR
ZORING COMMISSIONER
OF BALTIMORE COUNTY Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing. PLAT FOR TONING VARIANCE OWNER: JEAN & MELVIN ECK 15 to DISTRICT, ECNED DR 515 LODGE FOREST OWNERS WILL TAKE FULL RESPONSIBILITY AS TO THE INFORMATION PROVIDED ON 100 285 \$ 68G SAID PLOT PREPARED BY BALTO. TO. g-Commissioner BOOK Nº 10, FOUD 76 \$77 BALTIMORE COUNTY, MARYLAND No. 124084 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION #al=: 1"=50" OFFICE OF FINANCE - REVENUE DIVISION No. 122925 MISCELLANEOUS CASH RECEIPT DATE 1-16-8\$ ACCOUNT 01-615-000 RECEIVED Melven Eck FROM: Pleting & alverticing 84-176-A C 042.....350010 F090A C U37*****487510 51634

150 17 751

